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PATENT
Customer No. 22,852
Attorney Docket No. 7883.0097-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Katherine S. TWEDEN et al.) Group Art Unit: 3738
Application No.: 10/639,614) Examiner: PELLEGRINO, BRIAN E
Filed: August 11, 2003) Confirmation No. 5399
For: HEALING TRANSMYOCARDIAL)
IMPLANT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER

37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the foreign patent documents and non-patent literature documents listed on pages 8-12 of the Form PTO/SB/08 are attached. Copies of the U.S. Patents and Published U.S. Patent Applications have not been provided.

~~06/17/2005 SFELEKE1 00000023 060916 10639614~~

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Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

Regarding non-English language document EP 0 955 017 A2, Applicants believe that U.S. Patent No. 6,497,722 B1 is an English language counterpart.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

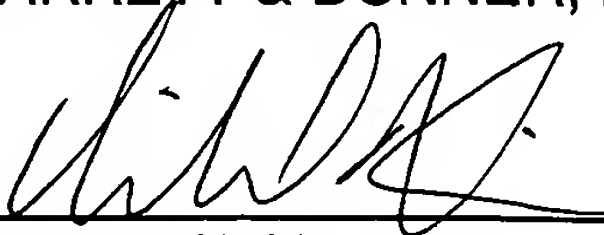
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement that is not otherwise provided with this filing, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 16, 2005

By: 
Michael W. Kim
Reg. No. 51,880

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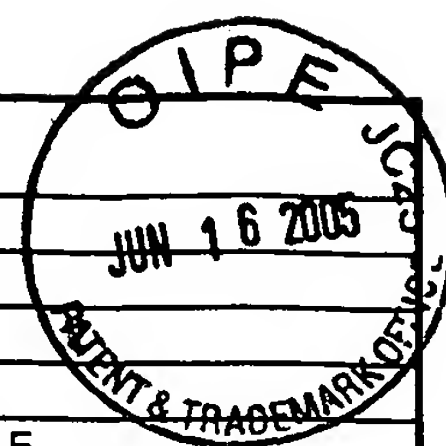
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First Named Inventor	Katherine S. TWEDEN
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Examiner Name	PELLEGRINO, BRIAN E
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
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				<i>Filing Date</i>	August 11, 2003
				<i>First Named Inventor</i>	Katherine S. TWEDEN
				<i>Art Unit</i>	3738
				<i>Examiner Name</i>	PELLEGRINO, BRIAN E.
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